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*Attorneys for the Federal Defendant*

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA**

Jeremia Gillo, an individual,

Plaintiff,

v.

The Honorable Pete Buttigieg, Secretary  
 of Transportation,

Defendant.

Case No. 2:22-cv-00857-CDS-NJK

**Unopposed Motion  
 to Extend Certain Deadlines**

**(Second Request)**

Pursuant to Fed. R. Civ. P. 26(f) and LR 26-3, Federal Defendant moves for a 45-day extension of certain deadlines, as set forth below:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Dispositive Motions	October 5, 2023	November 20, 2023
Joint Pretrial Order	November 6, 2023	December 21, 2023 <sup>1</sup>

This request is submitted less than 21 days before the earliest date to be extended because it became apparent to defense counsel only more recently than an extension would be needed. The grounds and good cause are set forth further below. This is the second request to extend any pretrial deadlines (although the initial scheduling order, ECF No. 28, allowed additional discovery time compared to the standard schedule in LR 26-1). Undersigned defense counsel has consulted with Plaintiff's counsel, who advises that she does not object to this requested extension. Discovery is complete.

<sup>1</sup> However, if dispositive motions were filed, the proposed joint pretrial order would be due 30 days after the rulings on such dispositive motions.

Undersigned defense counsel respectfully requests additional time to evaluate this case, confer with the client agency, and prepare, as applicable, a dispositive motion, the joint pretrial order, or both. There have been a number of other pressing matters including those in bankruptcy and immigration cases, as well as cases needing removal from state court, and such matters often have shorter deadlines than typical litigation matters commenced in federal court. *See, e.g.*, Fed. R. Civ. P. 12(a)(2) (federal defendants have 60 days, from service of process on the United States Attorney, to file a response to a complaint). The Civil Division of the U.S. Attorney's Office remains very busy, given long-standing vacancies. Additionally, defense counsel recently learned that his point of contact at the client agency will be away from the office for a family-related matter for most of the days between now and the October 5, 2023, deadline sought to be extended. And in the event of a lapse of appropriations on September 30, 2023, the agency's point of contact, as well as a key witness, would be furloughed pending passage of an appropriations bill. This requested extension takes into account upcoming deadlines and schedules including defense counsel's scheduled training for the week of October 16, 2023. The requested extension is not sought for the purpose of undue delay but to allow undersigned defense counsel and the client agency additional time, given the circumstances above, to confer and prepare, as applicable, a dispositive motion, the joint pretrial order, or both.

Respectfully submitted this 20th day of September 2023.

JASON M. FRIERSON  
United States Attorney

/s/ Patrick A. Rose  
PATRICK A. ROSE  
Assistant United States Attorney

**IT IS SO ORDERED:**

  
**UNITED STATES MAGISTRATE JUDGE**

**DATED:** September 21, 2023